IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7442 OF 2007

Shri Ganpatrao Maruti Ikke] .. Petitioner

Versus

1. The State of Maharashtra & 4 ors.] .. Respondents

Mr. N.V. Bandiwadekar for the petitioner.

Mr. C.R. Sonawane, AGP, for the respondents No.1 to 4.

CORAM: S.B. MHASE &
D.G. KARNIK, JJ.

DATED: 10TH OCTOBER, 2007

P.C. :

1. By this Petition, the petitioner challenges the order dated 28th June, 2007, passed by the Government of Maharashtra allowing the appeal filed by the respondent No.5.

2. Respondent No.5 was appointed as a Police Patil of village Kadal. Petitioner, who is a former Sarpanch of the said village, alongwith few other residents of the village, made a complaint to the Sub Divisional Officer making allegations against the respondent No.5 and prayed for his removal. By an order dated 19th August, 2003, the Sub Divisional Officer

suspended the respondent No.5 and refused to grant extension for his appointment. On appeal, the order was confirmed by the Additional Commissioner. On second appeal, the State Government reversed the decision of the Additional Commissioner and has reinstated the respondent No.5 as a Police Patil. The order of the Government states that the matter was enquired into and the Tahsildar has submitted a report that there is no substance in the complaint. A report was also called for from the Police Inspector who has also reported that there was no substance in the complaint. In view of this, the State Government has passed the order reinstating the respondent No.5 as a Police Patil.

3. The grievance made by the petitioner is that he was not given opportunity of hearing by the State Government. In our view, the petitioner was not required to be given hearing. Matter of appointment of a Police Patil is a matter between the Government and the concerned Police Patil. The Government may make enquiry on any complaint or even an anonymous complaint. Government is not bound to hear the complainant. Government appears to have made the enquiry and has come to the conclusion that there was no merit in the complaint and that there was no impropriety or illegality committed by the respondent No.5. In the

circumstances, the Government was fully competent to reinstate the respondent No.5 as Police Patil.

4. There is no merit in the Petition. It is hereby rejected.

Sd/-
[D.G. KARNIK, J.]

Sd/-
[S.B. MHASE, J.]